

PITEGOFF LAW OFFICE  
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*City of Mesquite*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CAMY L. THOMPSON, individually,  
THOMAS J. THOMPSON, individually, and  
CAMY L. THOMPSON and ANITA NORTE-  
STRAYHAND, as Special Co-Administrators  
of the ESTATE OF JERRY T. THOMPSON,  
deceased,

Plaintiffs,

adv.

CITY OF MESQUITE dba MESQUITE  
POLICE DEPARTMENT, a Political Sub-  
Division of the State of Nevada; CITY OF  
MESQUITE, a Political Sub-Division of the  
State of Nevada; MOHAVE COUNTY  
SHERIFF'S OFFICE, A Separate Political  
Entity of the State of Arizona, DOES I through  
X and ROE CORPORATIONS I through X,  
inclusive,

Defendants.

Case No. 2:11-CV01238-JCM-RJJ

**DEFENDANT CITY OF MESQUITE'S  
INDIVIDUAL STATUS REPORT**

COMES NOW CITY OF MESQUITE DEFENDANTS, by and through their attorney of  
record, Jeffrey I. Pitegoff, Esq. of PITEGOFF LAW OFFICE and hereby submits this Individual  
Status Report pursuant to this Court's Order.

## I. FACTS and DISCUSSION

The Mesquite Defendants are forced to submit this Individual Status Report in order to explain why the “Joint Interim Status Report” filed by counsel for Plaintiff is inaccurate and misleading. However, before pointing out the errors by Plaintiff’s Counsel, attached hereto is a signed Stipulation and Order for the Record. See Exhibit A.<sup>1</sup>

As to the statements by Mr. Myers in the “Joint Status Report” casting dispersion upon Mr. Pitegoff, the attack is not only without merit, but it appears that Mr. Myers is not without fault in finalizing the dismissal of this case.

After service of the Court’s Order seeking a Joint Status Conference, Mr. Pitegoff telephoned Mr. Myers to discuss filing the Stipulation and Order for Dismissal. However, Mr. Myers was unavailable. Accordingly, Mr. Pitegoff gave Mr. Myers’ Assistant permission to execute the Stipulation and Order with his electronic signature and stated that if confirmation was required, to simply send an email requesting as much. Mr. Pitegoff did not receive any request for confirmation in email form, letter form, facsimile form, or by way of another confirming telephone call.

Counsel was under the impression from the discussion with Mr. Myers’ office that the Stipulation and Order for Dismissal would be filed as discussed. However, rather than file the Stipulation as requested by Mr. Pitegoff, Mr. Myers filed a “Joint Status Report” disparaging Mr. Pitegoff, without ever contacting him to discuss anything related to the status report or the electronic signature.

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<sup>1</sup> Counsel contacted Mr. Myer’s office and obtained a facsimile of the Stipulation and Order for Dismissal to which he added his signature.

Concerned about the fact that Mr. Myers' office did not do what had been represented would be done, Counsel questioned Mr. Myers' Assistant in regard to the discussion that occurred last week. Mr. Myers' Assistant was adamant that an email seeking confirmation was sent to Mr. Pitegoff two days in a row on May 9<sup>th</sup> and May 10<sup>th</sup>, seeking confirmation for the electronic signature. With Mr. Myers Assistant on the telephone, Mr. Pitegoff checked for these emails and found none. Mr. Myers' Assistant was remained adamant that the emails were sent. However, when questioned for the email address to which the emails were sent, it became clear that Mr. Myers' did not send emails to Mr. Pitegoff's proper email address, despite the fact that Counsel's email address is properly listed in the Nevada Legal Directory, Nevada State Bar web site and is the exact same email address that has been used by this Court for the CMECF system for years. Simply put, Mr. Myers made an error. Although the error is essentially harmless, it should have been addressed by a simple telephone call, a call that was supposed to be made before filing a "Joint" status report.

Clearly, the case has been resolved by way of settlement and there was a delay in filing the proper closing documents. Mesquite respectfully requests this Court grant the Stipulation and Order attached hereto as Exhibit A and apologizes for any inconvenience and the delay.

PITEGOFF LAW OFFICE

/s/ Jeffrey Pitegoff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that service of the foregoing Status Report was made this 14th day of May 2011, by:

☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada, addressed as set forth below.

☐ **BY FACSIMILE:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document.

☐ **BY PERSONAL SERVICE:** by causing personal delivery by an employee of Pitegoff Law Office of the document(s) listed above to the person(s) at the address(es) set forth below.

☒ **BY ELECTRONIC SERVICE:** by transmitting via the Court's electronic filing services

Michael S. Myers, Esq.  
Jeffrey R. Gomel, Esq.  
*Attorney for Plaintiffs*

Brian Blakenship, Esq.  
*Attorney for Mohave County*

/s/Jeffrey Pitegoff  
An Employee of Pitegoff Law Offices

1 MICHAEL S. MYERS, ESQ.  
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2 JEFFREY R. GOMEL, ESQ.  
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3 MYERS & GOMEL, P.C.  
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4 Las Vegas, Nevada 89146  
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5 Attorneys for Plaintiffs

6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
8  
9

10 CAMY L. THOMPSON, individually,  
THOMAS J. THOMPSON, individually,  
11 and CAMY L. THOMPSON and ANITA  
NORTE-STRAYHAND, as Special  
12 Co-Administrators of the ESTATE OF  
JERRY T. THOMPSON, deceased,

13 Plaintiffs,

14 vs.

15 CITY OF MESQUITE dba MESQUITE  
16 POLICE DEPARTMENT, a Political  
Sub-Division of the State of Nevada;  
17 CITY OF MESQUITE, a Political  
Sub-Division of the State of Nevada;  
18 MOHAVE COUNTY SHERIFF'S OFFICE,  
A Separate Political Entity of the State of  
19 Arizona, DOES I through X and ROE  
CORPORATIONS I through X,  
20 inclusive,

21 Defendants.

CASE NO. 2:11-CV-01238-JCM-RJJ

**STIPULATION AND ORDER  
FOR DISMISSAL**

22  
23 IT IS HEREBY STIPULATED by and between the parties hereto, through their  
24 respective counsel of record, that the above-entitled matter may be dismissed, with prejudice,

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EXHIBIT A


1 each party to bear their own costs and attorney's fees.


2 Dated this 8<sup>th</sup> day of May, 2012

Dated this 19 day of May, 2012


3 MYERS & GOMEL, P.C.

PITEGOFF LAW OFFICE

4  
5 BY:   
6 MICHAEL S. MYERS, ESQ.  
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8 JEFFREY R. GOMEL, ESQ.  
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11 MARQUIS AURBACH COFFING

12   
13 BY:  
14 BRIAN BLAKESHIP, ESQ.  
15 Nevada Bar No. 11522  
16 10001 Park Run Drive  
17 Las Vegas, Nevada 89145  
18 Attorneys for Defendant  
19 Mohave County Sheriff's Office

18 **ORDER**

19 Based upon the foregoing Stipulation by the parties, and good cause appearing therefor,  
20 it is hereby

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1 ORDERED, ADJUDGED and DECREED that the above-entitled matter be dismissed,  
2 with prejudice, each party to bear their own costs and attorney's fees.

3 Dated this 21 day of May, 2012.

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6 UNITED STATES DISTRICT COURT JUDGE  
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8 Submitted By:

9 MYERS & GOMEL, P.C.

10  
11 BY:   
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18 Attorneys for Plaintiffs  
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